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REPORT TO GOVERNANCE COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 28, 2018

SUBJECT **BOARD STANDARDS OF CONDUCT**

ISSUE

To provide additional information on Board Standards of Conduct.

BACKGROUND

As part of Governance Committee discussion in 2017, the Committee discussed alternatives for Board Standards of Conduct. At the Committee meeting of June 2017, the Governance Committee moved as follows:

That this [the “Board Standards of Conduct” - copy attached] report be received for information and that staff report back to the Board on the issue following the completion of the work on responsible elected official conduct undertaken by the Union of British Columbia Municipalities.

Update on UBCM

At the Union of British Columbia Municipalities (UBCM) Convention of September 2017, delegates received the “*Strengthening BC’s Responsible Conduct Framework*” Policy Paper from the Working Group on Responsible Conduct (WGRC). This Policy Paper was endorsed by delegates. The recommendations endorsed in the Policy Paper are as follows:

- a) *As a first priority, articulate foundational principles of responsible conduct (e.g. honesty; integrity), and embed these in relevant education materials available province-wide for general local elections starting in 2018;*
- b) *Enhance existing guidance materials to illustrate how foundational principles of responsible conduct can be embedded in local government bylaws and policies (e.g. procedure bylaws, oaths of office);*
- c) *Develop new responsible conduct guidance materials including a model code of conduct and other materials that articulate principles, expectations, and good practices of responsible conduct;*
- d) *Continue the policy and detailed design work needed to develop information and advice on an integrated and effective responsible conduct framework appropriate to B.C., including:*
 - *Assess the feasibility of including foundational principles in the “default” oath of office established by regulation (considerations include scope of authority and timing);*

- *Develop and make available a list of resources for elected officials who are facing challenging situations due to less-than-responsible conduct;*
 - *Consider the design components of a model for providing resources that would support fact-finding and assessing challenging relationships/circumstances faced by a council/board due to less-than-responsible conduct and could provide guidance on approaches to help the council/board move forward (considerations include expertise needed, cost, and triggers for involvement);*
- e) *Develop policy options related to codes of conduct with respect to:*
- *The content of the code of conduct and processes for developing and reviewing the code. Developing the design components will help determine whether a mandatory code of conduct should be considered over a voluntary approach;*
 - *The design components of a model for evaluating and making determinations about alleged breaches of a code of conduct. The goal is an integrated model with appropriate linkages between establishing and applying conduct standards, and evaluating, investigating and deciding on breaches of the code;*
 - *A range of sanctions that could make up a spectrum of penalties for breaching a code of conduct. Considerations would include linkages of penalties with establishing/applying standards of conduct and investigating/deciding on breaches; and*
- f) *Develop practical actions for implementing these recommendations, including considerations of timing, sequencing, and resources.*

We understand that UBCM's Executive were following up with the Province of BC to ascertain the provincial response to the approach contained in the policy paper. CRD staff will report back on this when more information is received from UBCM.

Workers' Compensation Act and CRD Policy

In 2012, the Province of British Columbia enacted Bill 14 (*Workers Compensation Amendment Act*). Under Bill 14, employees may be entitled to compensation for a mental disorder that is a reaction to bullying and harassment in the workplace.

Consistent with the *Workers Compensation Act* legislation, as well as those of the *Human Rights Code*, the CRD has had a long standing commitment and approach to creating and maintaining a work environment which is free of harassment, bullying and discrimination, and this is reflective by policy. This policy covers all CRD employees, contractors, elected officials and appointed representatives in their dealings with the CRD. A copy of the CRD policy is attached.

ALTERNATIVES

Alternative 1

That it be recommended to the CRD Board that:

- a) this report be received for information; and
- b) that Board Directors be provided a updated orientation on the Respectful Workplace Policy.

Alternative 2

That staff be directed to provide additional information.

FINANCIAL IMPLICATIONS

There are no additional financial implications.

ORGANIZATIONAL IMPLICATIONS

The CRD ensures that all staff, contractors, elected officials and appointed representatives are oriented to the CRD's Respectful Workplace Policy. It is considered best practice to refresh this orientation from time to time.

CONCLUSION

Through the endorsement of the Policy Paper, a number of actions will be underway "to begin the process of strengthening B.C.'s responsible conduct framework." As more work is undertaken through UBCM, CRD staff will advise the Board. In the meantime, it is important that the CRD remains committed to ensuring our legislative requirements are maintained and understood to best ensure respectful relations at all levels of the organization.

RECOMMENDATION

That it be recommended to the CRD Board that:

- a) this report be received for information; and
- b) that Board Directors be provided a updated orientation of the requirements of the Respectful Workplace Policy.

Submitted by:	Chris Neilson, MBA, CHRP, Senior Manager Human Resources
Concurrence:	Kristen Morley, JD, General Manager Corporate Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

Attachment: Appendix 1. Staff Report, April 5, 2017 – Board Standards of Conduct
Appendix 2. Staff Report, June 7, 2017 – Board Standards of Conduct
Appendix 3. Strengthening BC's Responsible Conduct
Appendix 4. CRD Policy- Respectful Workplace